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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,817	03/26/2004	Kil-soo Jung	1293.1768	7945

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STEIN, MCEWEN & BUI, LLP
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EXAMINER

WENDMAGEGN, GIRUMSEW

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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02/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/809,817	Applicant(s) JUNG ET AL.	
	Examiner Girumsew Wendmagegn	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
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| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/13/04; 3/26/04</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6) <input type="checkbox"/> Other: _____</p> |
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DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As provided on page13 paragraph 0059 of the specification, a computer readable medium includes carrier wave. Claims drawn to components involving signals encoded with functional descriptive material do not fall within any of the categories of statutory subject matter as set forth in 35 U.S.C. 101, and are therefore, ineligible for protection. See 1300 OG 142 (November 22, 2005, Annex IV(c) in particular).

Claim16-19 also rejected because of the dependency on claim15.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim1-19 is rejected under 35 U.S.C. 102(b) as being anticipated by Park et al (EP 1014370).

Regarding claim 1, 8, Park et al (hereinafter Park) anticipate a method of seamlessly reproducing a plurality of data streams that include packet data with arrival time stamps determined to be unrelated to each other, the method comprising: generating control information for controlling output times of the plurality of data streams for seamless reproduction (see page 5 paragraph 0025); and continuously reproducing the plurality of data streams based on the generated control information (see page 5 paragraph 0025).

Regarding claim 2, 9, Park anticipate the method of claim 1, wherein the control information specifies a reference time value and one of a reproduction gap length value and an offset value (see page 5 paragraph 0026).

Regarding claim 3, 10, Park anticipates the method of claim 2, wherein the reference time value is obtained by adjusting an arrival time stamp of first packet data of a current data stream so that the current data stream is reproducible immediately after reproduction of a previous data stream without a pause (see page 5 paragraph 0027).

Regarding claim 4, 11, Park anticipate the method of claim 3, wherein the reproduction gap value is a time value indicating an interval of time between reproduction of last packet data of the previous data stream and the first packet data of the current data stream (see page 5 paragraph 0029).

Regarding claim 5, 12, Park anticipates the method of claim 4, wherein the reproduction gap value is obtained by calculating a difference between the reference time value and an arrival time stamp value of last packet data of the previous data stream (see page 9 paragraph 0077)

Regarding claim 6, 13, Park anticipates the method of claim 3, wherein the offset value is added to the arrival time stamp value of each packet data of the current data stream so that the current data stream can be reproduced immediately after reproduction of the previous data stream without a pause (see 6 paragraph 0044)

Regarding claim 7, 14, Park anticipates the method of claim 6, wherein the offset value is obtained by calculating a difference between the reference time value and the arrival time stamp value of the first packet data of the current data stream (see page 6 paragraph 0044).

Regarding claim 15, Park anticipates computer readable medium for seamlessly reproducing a plurality of stream objects comprising packet data and an arrival time stamp, the computer readable medium comprising instructions which: instruct a processor to adjust an arrival time stamp of first packet data of a current stream object based on a reference time and one of a gap length value and an offset value (see page 5 paragraph 0026); and instruct the processor to reproduce the current data

stream immediately after a previous data stream without a pause based on the adjusted arrival time stamp (see page5 paragraph 0027).

Regarding claim16, Park anticipates the computer readable medium of claim 15, further comprising instructions which: instruct the processor to determine the gap length value as an interval of time between reproduction of last packet data of the previous data stream and the first packet data of the current data stream (see page9 paragraph 0077).

Regarding claim17, Park anticipates the computer readable medium of claim 16, further comprising instructions which: instruct the processor to determine the gap length value by calculating a difference between the reference time value and an arrival time stamp value of last packet data of the previous data stream (see page9 paragraph 0077).

Regarding claim18, Park anticipates the computer readable medium of claim 15, further comprising instructions which: instruct the processor to add the offset value to the arrival time stamp value of each packet data of the current data stream (see page8 paragraph 0071-0072).

Regarding claim19, the computer readable medium of claim 18, further comprising instructions which: instruct the processor to determine the offset value by

calculating a difference between the reference time value and the arrival time stamp value of the first packet data of the current data stream 9see page9 paragraph 0077).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Park et al (Patent No. US 6,996,327)
- Moon et al (Patent No. US 6, 408,338)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Thai Q. Tran

Supervisory Patent Examiner

Girumsew Wendmagegn